

1818-021

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRITT VS. BRITT & al

9/1818

Brill

Mr

Brill

Bill & Ann

Dec 16th 1877 Acce'd.
Dord.

To the worshipful Court of Chancery sitting -
Humbly complaining sheweth unto your wisdoms your
oratrix Rebecca Britt widow and relict of Joseph
Britt (of John). That her late husband the said
Joseph Britt died sometime in the year
intestate seized and possessed of a tract of land
lying in this County containing about thirty
acres, and leaving your oratrix his widow
and three children to wit Henry Britt, Elias
Britt and Laurence Britt. all of whom are
infants under the age of twenty one years
That the dower of your oratrix has never
been allotted her in said ^{land}, neither has a
partition of the same been made between
the said Henry, Elias and Laurence heirs
of the said Joseph Britt (of John). That
the said tract of land is worth but a trifling
sum, and your oratrix would prefer to
have such portion of the money which
said land might sell for as might seem
right to this Court as her dower
in the same - And therefore if it would
be consistent with the laws of the land
and the rules of this Court she wishes the
said land should be sold and the
proceeds distributed by a decree of this
Court according to law. And under consideration
whereof and in as much as your oratrix

is remedied in the premises save in a Court
of Chancery when matters of this kind are
properly cognizable she prays that the
said Henry, Elias, and Laurence Britt
infant heirs of the said Joseph Britt (of John)
may be made defendants and trusts by some
special friend appointed by the Court to defend
them in this behalf, and be compelled to answer
all and singular the allegations herein contained
fully and unreservedly. She further prays that
the aforesaid land may be sold on such
credit as shall seem right to the Court
and that such portion of the amount of
sales as may be deemed equivalent to her dower
be allotted to her in the line of the same and
that the balance be equally divided between
the defendants Henry, Elias, and Laurence
Britt, as the heirs at law of the said Joseph
Britt (of John) And she finally prays that
this Court would make any other or further
order or decree in the premises which may
conform with justice and Equity. And
as in duty bound she will ever pray &c.

To the worshipful Court of Southampton in
Chancery sitting - The joint and separate answers
of Henry Britt, Elias Britt and Laurence Britt
infant children and heirs at law of Joseph
Britt (of John) by William Bowden their
next friend appointed by the Court to defend
them in this behalf to the bill of Complaint
exhibited against them by Rebecca Britt widow
and sister of the said Joseph Britt (of John)
These respondents saving and reserving to
themselves every benefit of exemption to any
errors or imperfections in said bill contained
for answer thereto or to so much thereof as they
are advised is necessary and material for them
to answer, answering, say. That they believe the
statement made by the Complainant is true, and
they are willing that the said tract of land should
be sold, and the proceeds thereof disposed as to
this Court may seem right and proper. These
respondents having answered, prays that
they be dismissed &c. -

William Bowden

Pratt

27

Pratt

Rough Dece

Brutt — ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ 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of the proceeds of the sale of said land the payment
thereof to be secured by bonds taken from the
purchaser with approved security, and
assigned to the guardian or guardians of the
said Henry. Elgar, and Laurence Brett.

That they make a good and sufficient convey-
ance of said land to the purchaser or pur-
chasers in fee simple, and that if each of
them or any of them do make a report within
Court in order to a final decree.

Brett

M

Bretts

Rough Decree

Butt $\frac{15}{3}$ Decree
Butt $\frac{15}{3}$

Sept 21st 1878 Map.
Recd of OR & done
final by Consent.

Southampton County Decr Court 1817

Rebecca Britt widow and next of
Joseph Britt (of John) - Complainant
against

Henry Britt, Elias Britt and Lawrence
Britt, infant Children and heirs at Law
of Joseph Britt (of John), by William
Brown, their next friends, appointed by
the Court, to defend them in this behalf. Deft.

In
Chancery

This Cause was this day docketed by Consent of
parties and agent of the Court, and was heard on the
bill and answer, and arguments of counsel and after
mature deliberation, The Court doth adjudge, order and decree
that Simon Boykin, Samuel & Benjamin, John Humphreys &
and Miller Brown, or any three of them, do after giving three
weeks public notice of the time and Place of Sale expose
the tract of Land mentioned in the bill whereof Joseph
Britt (of John) was seized and possessed lying in this
County, to Public Auction, on a Credit of nine months
That they assign one Sixth part of the proceeds of the Sale
to the Complainant, Rebecca Britt in Law of her dower
in the said tract of Land, The payment thereof to be
secured to her by bond with approved Security taken
from the purchaser, That they assign to each of the
defendants Henry Britt, Elias Britt and Lawrence Britt
one equal third part of the balance of the proceeds of
the Sale of said Land, the payment thereof to be
secured by bond taken from the purchaser with
approved Security and assign to the guardian or guardians
of the said Henry, Elias, and Lawrence Britt, That they
make a good and sufficient Conveyance of said Land
to the purchaser or purchasers in fee Simple and that
they or such of them as may act, do make a report
to this Court in order to a final Decree

Attest
Copy

A. H. Addeley D.C.

In Obedience to an order of the Worshipfull Court
of Southampton bearing date Decemr. Court 1817
We the Undersigneds have sold at publick Auction
the Land which Joseph Brutt (of John) died Seized
possed of William Barden became the purchaser and
give Bond with approved Security to each Legatee
payable in 2 months given Under our hands and seals
this 27th day of February 1818—

J. Boykin

Willis Bowers

Sam. G. Boykin